

TS No. 09-0167053

To find out the amount you must pay, or to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact:

**THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS CWMBS, INC. CHL MORTGAGE PASS-THROUGH TRUST 2005-2 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-2**

C/O BAC Home Loans Servicing, LP  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065  
FORECLOSURE DEPARTMENT (800) 669-6650

If you have any questions, you should contact a lawyer or the governmental agency which may have insured your loan.

Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure. Remember,

**YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.**

NOTICE IS HEREBY GIVEN THAT: RECONTRUST COMPANY, N.A., is acting as an agent for the Beneficiary under a Deed of Trust dated 12/10/2004, executed by KIMBERLY COX, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY as Trustor, to secure certain obligations in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as beneficiary recorded 12/21/2004, as Instrument No. 2004-0089505 (or Book , Page ) of Official Records in the Office of the County Recorder of Santa Cruz County, California.

Said obligation including ONE NOTE FOR THE ORIGINAL sum of \$ 544,000.00.

That a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of : FAILURE TO PAY THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 12/01/2008 AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, TOGETHER WITH ALL LATE CHARGES; PLUS ADVANCES MADE AND COSTS INCURRED BY THE BENEFICIARY INCLUDING FORECLOSURE FEES AND COSTS AND/OR ATTORNEYS' FEES. IN ADDITION, THE ENTIRE PRINCIPAL AMOUNT WILL BECOME DUE ON 01/01/2035 AS A RESULT OF THE MATURITY OF THE OBLIGATION ON THAT DATE.


That by reason thereof, the present beneficiary under such deed of trust has executed and delivered to RECONTRUST COMPANY, N.A. such deed of trust and all documents evidencing obligations secured thereby, and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

If required by the provisions of Section 2923.5 of the California Civil Code, the declaration from the mortgagee, beneficiary or authorized agent is attached to the Notice of Default duly recorded with the appropriate County Recorder's office.

Dated: November 13, 2009

RECONTRUST COMPANY, N.A., as agent for the Beneficiary

By

  
Anselmo Pagkaliwangan



Notice Date: October 28, 2009

09-0167053

Property Address:  
131 Sutphen St  
Santa Cruz, CA 95060  
Kimberly Cox  
131 Sutphen St  
Santa Cruz, CA 95060

### CALIFORNIA DECLARATION

I, Stacy Coats, of BAC Home Loans Servicing, LP, declare under penalty of perjury, under the laws of the State of California, that the following is true and correct:

☐ BAC Home Loans Servicing, LP has contacted the borrower to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure,

☒ BAC Home Loans Servicing, LP tried with due diligence to contact the borrower in accordance with California Civil Code Section 2923.5, or

☐ BAC Home Loans Servicing, LP verified that the borrower has surrendered the property.

☐ BAC Home Loans Servicing, LP has evidence and reasonably believes that the borrower has contracted with an organization, person, or entity whose primary business is advising people who have decided to leave their homes on how to extend the foreclosure process and to avoid their contractual obligations to beneficiaries.

☐ BAC Home Loans Servicing, LP has confirmed that the borrower(s) filed for bankruptcy and the proceedings have not been finalized to wit, there is no order on the court's docket closing or dismissing the bankruptcy case.

☐ The provisions of California Civil Code §2923.5 do not apply because

11/6/09  
Date and Place

Fort Worth, TX

Stacy Coats  
Name of Signor

MLO-Loan SVCS Specialist

Title and/or Position

This communication is from BAC Home Loans Servicing, LP, a subsidiary of Bank of America, N.A.  
CALDECLH 8652/9524 8/29/2008

THIS IS TO CERTIFY THAT IF BEARING THE SEAL OF THE COUNTY  
RECORDER OF SANTA CRUZ COUNTY CALIFORNIA THIS IS A CORRECT  
COPY OF A DOCUMENT FILED / RECORDED IN THE RECORDS OF SANTA  
CRUZ COUNTY, CALIFORNIA.

SEAN SALDAVIA

COUNTY RECORDER

JAN 31 2011

# Exhibit No. 10



RECORDING REQUESTED BY:  
RECONTRUST COMPANY  
AND WHEN RECORDED MAIL DOCUMENT  
AND TAX STATEMENTS TO:

RECONTRUST COMPANY  
1800 Tapo Canyon Rd., CA6-914-01-94  
SIMI VALLEY, CA 93063

ATTN: Dolores Romo-Carabajal  
TS No. 09-0167053



2009-0056700 12/07/2009 01:58:00 PM  
OFFICIAL RECORDS OF Santa Cruz County  
Sean Saldavia Recorder  
RECORDING FEE: \$24.00  
COUNTY TAX: \$0.00  
CITY TAX: \$0.00



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1 PG  
RCD135

090786146

**SUBSTITUTION OF TRUSTEE AND ASSIGNMENT OF DEED OF TRUST**

The undersigned MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., (hereinafter referred to as Beneficiary) is the Beneficiary of that certain Deed of Trust dated 12/10/2004, executed by KIMBERLY COX, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, Trustor, to CTC REAL ESTATE SERVICES, as Trustee, and recorded as Instrument No. 2004-0089505 on 12/21/2004, of Official Records in the County Recorder's Office of SANTA CRUZ County, California. NOW THEREFORE, Beneficiary hereby substitutes RECONTRUST COMPANY, N.A., WHOSE ADDRESS IS: 1800 Tapo Canyon Rd., CA6-914-01-94, SIMI VALLEY, CA 93063, as Trustee under said Deed of Trust herein referred to, in the place and stead of and with all rights, title, powers, and interest of the former trustee described above.

FOR VALUE RECEIVED, the undersigned hereby grants, assigns, conveys and transfers to THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS CWMBS, INC. CHL MORTGAGE PASS-THROUGH TRUST 2005-2 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-2 all beneficial interest under that certain Deed of Trust described above. Said described land: "As more fully described in the above referenced Deed of Trust." Together with the note or notes therein described or referred to, the money due and to become due thereon with the interest, and all rights accrued or to accrue under said Deed of Trust.

DATED: November 13, 2009

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

State of: CALIFORNIA  
County of: VENTURA

) BY: Abraham Bartamian  
) Abraham Bartamian, Assistant Secretary

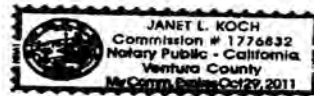
On NOV 27 2009 before me, JANET L. KOCH, notary public, personally appeared ABRAHAM BARTAMIAN, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Janet L. Koch (Seal)  
Notary Public's Signature

**JANET L. KOCH**



Form subasgnmnt (01/09)

THIS IS TO CERTIFY THAT IF BEARING THE SEAL OF THE COUNTY  
RECORDER OF SANTA CRUZ COUNTY, CALIFORNIA THIS IS A CORRECT  
COPY OF A DOCUMENT FILED RECORDED IN THE RECORDS OF SANTA  
CRUZ COUNTY, CALIFORNIA.

SEAN SALDAVIA

COUNTY RECORDER

*Sean Saldivia*

DATE

**JAN 31 2011**

# Exhibit No. 11

RECORDING REQUESTED BY:  
RECONTRUST COMPANY  
1800 Tapo Canyon Rd., CA6-914-01-94  
SIMI VALLEY, CA 93063



2010-0010626 03/17/2010 01:37:41 PM  
OFFICIAL RECORDS OF Santa Cruz County  
Sean Saidavia Recorder  
RECORDING FEE: \$21.00  
COUNTY TAX: \$0.00  
CITY TAX: \$0.00

WHEN RECORDED MAIL TO:  
RECONTRUST COMPANY  
1800 Tapo Canyon Rd., CA6-914-01-94  
SIMI VALLEY, CA 93063  
TS No. 09-0167053  
Title Order No. 090786166



NTSA  
2 PGS  
RCD135

APN No. 008-091-17

# NOTICE OF TRUSTEE'S SALE

**YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 12/10/2004.  
UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE  
SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE  
NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A  
LAWYER.**

Notice is hereby given that RECONTRUST COMPANY, N.A., as duly appointed trustee pursuant to the Deed of Trust executed by KIMBERLY COX, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, dated 12/10/2004 and recorded 12/21/2004, as Instrument No. 2004-0089505, in Book , Page of Official Records in the office of the County Recorder of SANTA CRUZ County, State of California, will sell on 04/08/2010 at 01:30 PM, At the Ocean Street entrance to the Administration Building, 701 Ocean Street, Santa Cruz, CA 95060

at public auction, to the highest bidder for cash or check as described below, payable in full at time of sale, all right, title, and interest conveyed to and now held by it under said Deed of Trust, in the property situated in said County and State and as more fully described in the above referenced Deed of Trust. The street address and other common designation, if any, of the real property described above is purported to be: 131 SUTPHEN ST, SANTA CRUZ, CA 95060-1939. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein.

The total amount of the unpaid balance with interest thereon of the obligation secured by the property to be sold plus reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is \$605,659.51. It is possible that at the time of sale the opening bid may be less than the total indebtedness due.

In addition to cash, the Trustee will accept cashier's checks drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state.

Said sale will be made, in an "AS IS" condition, but without covenant or warranty, express or implied, regarding title, possession or encumbrances, to satisfy the indebtedness secured by said Deed of Trust, advances thereunder, with interest as provided, and the unpaid principal of the Note secured by said Deed of Trust with interest thereon as provided in said Note, plus fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust.  
If required by the provisions of Section 2923.5 of the California Civil Code, the declaration from the mortgagee, beneficiary or authorized agent is attached to the Notice of Trustee's Sale duly recorded with the appropriate County Recorder's office.

RECONTRUST COMPANY  
1800 Tapo Canyon Rd., CA6-914-01-94  
SIMI VALLEY, CA 93063  
Phone/Sale Information: (800) 281-8219

By:   
Kristina Madrigal, Team Member

RECONTRUST COMPANY, N.A. is a debt collector attempting to collect a debt. Any information obtained will be used for that purpose.

Form nos (07/01)